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Via First Class Mail and Email: supervisor@canaannewyork.org

Brenda Adams
Supervisor
Town of Canaan
P.O. Box 459
Canaan, NY 12029

Re: Proposed Canaan Comprehensive Plan

Dear Supervisor Adams:

My family has owned property on Queechy Lake for over 35 years. I write out of concern, as I have previously verbally expressed, with the proposed Comprehensive Plan, and more specifically the Town's current proposal to proceed with the adoption of the Comprehensive Plan without first completing an Environmental Impact Study (EIS) – what I characterized as a “shoot and then aim” approach to community planning and Town governance.

As a practicing attorney for 40+ years, I have been on both sides of the aisle on planning and zoning matters, mostly in Westchester County. I have experienced development of comprehensive plans, changes to zoning regulations and implementation of moratoriums throughout this period. The most significant takeaway that I can share with the Town and the Planning Board is the need to fully understand the short and long term implications of any plan before it is adopted and implemented. Without undertaking a comprehensive EIS, the Town would be proceeding with blinders, governing and implementing policy with less than adequate knowledge and diligence; one could argue, bordering on irresponsible governance.

There is no doubt that any development proximate to Queechy Lake will have an impact on the lake and its environmental integrity. I implore the Town to fully understand this potential impact before allowing any policies or regulations to be adopted or implemented, as we all know from experience during our lifetimes, you cannot undo the impact of misguided development. There are two reasonable paths forward that can eliminate or mitigate potential damage; either (a)

complete an EIS before adopting a Comprehensive Plan, or (b) adopt a Comprehensive Plan that provides for the immediate undertaking of an EIS and a halt or moratorium on further action, regarding zoning or development, until the EIS is completed and fully integrated into any policies and regulations that may follow. As I noted when I spoke at the recent hearing, to deflect and defer the completion of an EIS to future developers is converting the study process to an adversarial proceeding, with a firm that is hired by a developer and charged with completing a study with an intended outcome supporting the developer's desired development plan, not an unbiased objective outcome that we all desire and deserve in the interest of protecting the lake and our community, and understanding the potential environment impact of any proposed development.

I have followed and support the effort and goals of the task force of concerned Queechy lake residents. The submissions by task force members have been comprehensive and compelling, and should not fall on deaf ears. Based upon interactions with task force members, there is no doubt that action by the Town and Planning Board without recognition of the concerns of the task force will result in the commencement of Article 78 proceedings and other potential litigation. I can attest, from experience, that litigation is both expensive and divisive, neither of which would be good for our community. Let's put tax dollars to good use and undertake an immediate EIS with the funds that will otherwise be wasted defending claims that are easily avoidable.

I am happy to address and respond to any questions you, or any member of the Planning Board may have and appreciate your time and consideration of the foregoing.

Sincerely,



Kenneth S. Rose

cc: Town Board of Canaan
Planning Committee of Canaan
Zoning Board of Canaan
Comprehensive Plan Committee